



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

JRE  
Docket No: 5729-00  
2 January 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 December 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you completed a Report of Medical History on 7 April 1997, in which you failed to disclose a history of any significant orthopedic conditions. You enlisted in the Navy on 7 August 1997. On 11 August 1997, you complained of shoulder pain, and disclosed a pre-service history of subluxation of your right shoulder. Examination by a Navy physician disclosed that you could easily subluxate your shoulder. As your shoulder condition was considered disqualifying for military service, the physician recommended that you be processed for an "entry level medical separation". You were discharged by reason of erroneous entry (other) on 19 August 1997, with an entry level separation, and assigned a reenlistment code of RE-4.

As noted above, you received an entry level separation, not a discharge under other than honorable conditions, as you believe. The entry level separation is an uncharacterized separation which was assigned because you were processed for discharge prior to completing 180 days of service. Neither your entry level separation nor your reenlistment code implies that you were discharged for misconduct. In addition, the reenlistment code is not an

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absolute bar to reenlistment, because it is waivable by the Chief of Naval Personnel.

In the absence of evidence of material error or injustice in connection with your discharge and reenlistment code, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director